

APPENDIX D

HISTORIC PROPERTIES COMMISSION

Chapter 160A. Cities and Towns.

Article 19. Planning and Regulation of Development.

Part 3B. Historic Properties Commission.

160A-399.1 Legislative findings.-The historical heritage of our State is one of our most valued and important assets. Conservation of historic properties will stabilize and increase the values in their areas and strengthen the overall economy of the State. This Part authorizes cities and counties of the State, within their respective zoning jurisdictions, and by means of listing, regulation, and acquisition.

- (1) To safeguard the heritage of the city or county by preserving any property therein that embodies important elements of its cultural, social, economic, political, or architectural history; and
- (2) To promote the use and conservation of such property for the education, pleasure, and enrichment of the residents of the city or county and the State as a whole. (1971, c. 885, s. 1; 1973, c. 426, s. 62.)

160A-399.2 Appointment or designation of historic properties commission.-Before it may exercise the powers set forth in this Part, a city or county shall establish or designate a historic properties commission. The city or county governing board shall determine the number of members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than four years. A majority of the members of such a commission shall have demonstrated special interest, experience, or education in history or architecture; and all the members shall reside within the territorial jurisdiction of the city or county as established pursuant to G.S. 160A-360. In establishing such a commission and making appointments to it, a city or county may seek the advice of any State or local historical agency, society, or organization.

In lieu of establishing a separate historic properties commission, a city or county may designate as its historic properties commission either (i) the city or county may designate county historic districts commission, established pursuant to G.S. 160A-396, or (ii) the city or county planning board. In order for the planning board to be designated, at least two of its members shall have demonstrated special interest, experience, or education in history or architecture.

A county and one or more cities in the county may establish or designate a joint historic properties commission. If a joint commission is established or designated, the county and city or cities involved shall determine the residence requirements for members of the joint historic properties commission. (1971, c. 885, s. 2; 1973, c. 426, s. 62.)

160A-399.3 Powers of the properties commission.-Any city or county historic properties commission appointed or designated pursuant to this Part shall be authorized to:

- (1) Recommend to the city or county governing board structures, sites, areas or objects to be designated by ordinance as "historic properties."
- (2) Acquire the fee or any lesser included interest to any such historic properties, to hold, manage, restore and improve the same, and to exchange and dispose of the same by sale, lease or otherwise subject to